

**STATE OF RHODE ISLAND
DEPARTMENT OF CHILDREN, YOUTH AND FAMILIES**

PUBLIC NOTICE OF PROPOSED RULE-MAKING

In accordance with Title 42, Chapter 35 of the General Laws of Rhode Island, notice is hereby given that the Department of Children, Youth and Families (DCYF) is proposing to repeal the following rule:

**DUAL FOSTER CARE LICENSE/RELATIVE CERTIFICATION
AND
FAMILY DAY CARE CERTIFICATION
GUIDELINES FOR ISSUANCE**

This rule, Dual Foster Care License/Relative Certification and Family Day Care Certification Guidelines for Issuance is repealed in its entirety because it is addressed in other regulation.

In the repeal of this rule, consideration was given to the following: (1) alternative approaches; and (2) overlap or duplication with other statutory and regulatory provisions. No alternative approach or duplication or overlap was identified based upon available information.

This repealed rule is accessible on the DCYF website (<http://www.dcyf.ri.gov>) and on the R.I. Secretary of State website (<http://www.sec.state.ri.us/ProposedRules/>) and is available in hard copy upon request (401 528-3641 or RI Relay, dial 711).

Interested parties may submit written testimony by Friday, July 8, 2011 to Sarah St. Jacques, Principal Human Services Policy & Systems Specialist, Department of Children, Youth and Families, 101 Friendship Street, Providence, RI 02903.

The Department of Children, Youth, and Families does not discriminate against individuals based on race, color, national origin, sex, gender identity or expression, sexual orientation, religious belief, political belief or handicap. The prohibition against discriminatory practices extends to the agencies, organizations and institutions the Department licenses.

DUAL FOSTER CARE LICENSE/RELATIVE CERTIFICATION
AND
FAMILY DAY CARE CERTIFICATION
GUIDELINES FOR ISSUANCE

CERTIFIED FAMILY DAY CARE PROVIDERS:

Family day care providers who have been certified for a minimum of one (1) year will be permitted to apply for a Foster Care License or Relative Certification.

The decision to issue a Foster Care License or Relative Certification will be made by the Licensing Administrator after consideration of the following factors:

1. A review of the applicant's day care record to identify any violation of regulations or involvement as a perpetrator in a CANTS investigation.
2. A completed Foster Care home study, to include an assessment of the applicant's:
 - a. Motivation to foster;
 - b. Ability to handle the dual role of foster parent and day care provider;
 - c. Ability to assist a foster child in understanding their role and place in the family and the day care setting;
 - d. Willingness to restrict the total number of children in the home, including day care children, in accordance with prevailing regulations for Foster Care Licensing and Family Day Care Certification;
3. Successful completion of a Pre-Service Training Program for foster parents.

LICENSED FOSTER PARENTS/CERTIFIED RELATIVE CARETAKERS:

Foster parents and relative caretakers who have been licensed/certified for a minimum of one (1) year will be permitted to apply for Family Day Care Certification.

The decision to issue a Family Day Care Certification will be made by the Licensing Administrator after consideration of the following factors:

1. A review of the applicant's foster or relative care record to identify any violation of regulations or involvement as a perpetrator in a CANTS investigation.
2. A completed Family Day Care Evaluation to include an assessment of the applicant's:
 - a. Ability to handle the dual role of day care provider and foster parent;
 - b. Willingness to restrict the total number of children in the home in accordance with prevailing regulations for Family Day Care Certification and Foster Care Licensing/Relative Certification.

STIPULATIONS – DUAL FOSTER CARE LICENSE/RELATIVE CERTIFICATION AND FAMILY DAY CARE CERTIFICATION:

The following stipulations will apply in the issuance of a dual Foster Care License/Relative Certification and Family Day Care Certification:

1. Foster care licenses and relative certifications will be limited with regard to the numbers and ages of foster children allowed;
2. Foster/relative children will be counted in determining the total number of day care children allowed in the home;
3. Day care payment **will not** be made for foster/relative children in these homes or in other day care facilities.